

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	CR. No. 14-10363-RGS
)	
Plaintiff)	
v.)	
)	
)	
MICHELLE THOMAS,)	
)	
Defendant.)	
)	

**MOTION TO JOIN IN DEFENDANT KATHY CHIN'S MOTION IN LIMINE RE
UNCHARGED SHIPMENTS**

Defendant MICHELLE THOMAS, by and through her attorney of record, respectfully moves this Honorable Court to allow her to join in the legal arguments in Defendant Kathy S. Chin's Motion In Limine to Exclude Evidence of Uncharged Shipments, Docket No. 1564, filed on September 12th, 2018. For all the reasons stated therein, Ms. THOMAS requests that this Court exclude evidence of uncharged shipments as applied to Ms. THOMAS. Additionally, the issue is simply one of prejudice. F.R.E. 403.

This Honorable Court has previously stated:

Rule 403 counsels the exclusion of evidence where its probative value is outweighed by the danger of prejudice. It is "the trial judge's job to avoid unfair prejudice." [United States v.] Morales-Aldahondo, 524 F.3d [115]120 [(1st Cir.2008)]; cf. Ferrier v. Duckworth, 902 F.2d 545, 548-549 (7th Cir. 1990) (habeas court critical of state court for admitting photographs of the victim's splattered blood, noting that "[t]he only conceivable reason for placing them in evidence was to inflame the jury")...

United States v. Cadden, 2017 U.S. Dist. LEXIS 16302

Date: September 18, 2018

Respectfully submitted,

/s/ Michael C. Bourbeau

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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Michael C. Bourbeau